

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Dorchester County
Honorable Heath P. Taylor, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JASON BARRY BELL,

APPELLANT

APPELLATE CASE NO. 2023-001326

RECORD ON APPEAL

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INDEX

INDEX	i
TRIAL TRANSCRIPT DATED AUGUST 7-10, 2023	1
<u>JACKSON V. DENNO HEARING</u>	6
TESTIMONY	
ADAM DUNAWAY	
Direct Examination by Mr. Osborne.....	8
Cross Examination by Mr. Chisholm.....	11
Redirect Examination by Mr. Osborne	15
Continued Cross Examination by Mr. Chisholm.....	27
Continued Redirect Examination by Mr. Osborne	31
BRETT CAMP	
Direct Examination by Mr. Osborne.....	33
Cross Examination by Mr. Chisholm.....	38
ADAM DUNAWAY	
Direct Examination by Mr. Osborne.....	41
Cross Examination by Mr. Chisholm.....	48
DEFENDANT’S MOTION TO EXCLUDE JAIL CALL	50
RULING OF THE COURT	60
JURY VOIR DIRE	64
JURY SLECTION	98
TESTIMONY	
LARRY BOWERS (IN CAMERA)	
Direct Examination by Mr. Osborne.....	107
Cross Examination by Mr. Chisholm.....	110
JANETTE MIZZEL (IN CAMERA)	
Direct Examination by Mr. Osborne.....	124
Cross Examination by Mr. Wehman.....	130
OPENING STATEMENT BY MR. OSBORNE.....	159
OPENING STATEMENT BY MR. CHISHOLM.....	163

TESTIMONY

DONALD WEATHERFORD

Direct Examination by Mr. Osborne.....167

HOLLY POTTER LOBO

Direct Examination by Ms. Frederick.....176

Cross Examination by Mr. Chisholm.....182

PAUL BROTHERS

Direct Examination by Mr. Osborne.....183

Cross Examination by Mr. Chisholm.....193

Redirect Examination by Mr. Osborne196

BRETT CAMP

Direct Examination by Mr. Osborne.....197

Cross Examination by Mr. Chisholm.....207

KAREN GARCIA

Direct Examination by Mr. Osborne.....210

BRANDON BERG

Direct Examination by Mr. Osborne.....216

Cross Examination by Mr. Wehman.....239

KAREN GARCIA

Direct Examination by Mr. Osborne.....242

Cross Examination by Mr. Chisholm.....247

ADAM DUNAWAY

Direct Examination by Mr. Osborne.....252

Cross Examination by Mr. Chisholm.....279

Redirect Examination by Mr. Osborne289

LARRY BOWERS

Direct Examination by Mr. Osborne.....291

Cross Examination by Mr. Chisholm.....299

JANETTE MIZZEL

Direct Examination by Mr. Osborne.....300

Cross Examination by Mr. Chisholm.....309

Redirect Examination by Mr. Osborne311

KIRKLAND HOWELL (IN CAMEA)

Direct Examination by Mr. Osborne.....313

HANNAH JEFFERSON	
Direct Examination by Ms. Frederick.....	315
BAILEY HAYNES	
Direct Examination by Ms. Frederick.....	320
Cross Examination by Mr. Wehman.....	325
CAMERON WISNIEWSKI	
Direct Examination by Mr. Osborne.....	326
CHRISTINE DADABO	
Direct Examination by Ms. Frederick.....	336
ROBIN DUKES	
Direct Examination by Mr. Osborne.....	341
Cross Examination by Mr. Chisholm.....	346
Redirect Examination by Mr. Osborne	348
ERIC WATSON	
Direct Examination by Mr. Osborne.....	351
Cross Examination by Mr. Chisholm.....	360
Redirect Examination by Mr. Osborne	364
ROSE BELL	
Direct Examination by Mr. Osborne.....	365
RACHEL JOHNSON	
Direct Examination by Ms. Frederick.....	370
SCOTT OLIVIA	
Direct Examination by Ms. Frederick.....	375
CHAD SMITH	
Direct Examination by Mr. Osborne.....	381
Cross Examination by Mr. Chisholm.....	393
VIRGINIA RICHARDS	
Direct Examination by Mr. Osborne.....	397
CATHERINE LEISY	
Direct Examination by Mr. Osborne.....	408
THE STATE RESTS	424
MOTION FOR DIRECTED VERDICT.....	424

RULING OF THE COURT DENYING MOTION FOR DIRECTED VERDICT	425
OBJECTION TO PATHOLOGIST READING IN OF TOXICOLOGY REPORT	425
RULING OF THE COURT	426
COLLOQUY WITH THE DEFENDANT REGARDING HIS RIGHT TO TESTIFY	426
CLOSING ARGUMENT BY MR. OSBORNE	438
CLOSING ARGUMENT BY MR. CHISHOLM	462
CHARGE ON THE LAW	477
VERDICT	493
SENTENCING	506
INDICTMENT	508
SENTENCE SHEET	510
CERTIFICATE OF COUNSEL	512

THE FOLLOWING EXHIBITS ARE ON FILE WITH THIS COURT:

STATE’S EXHIBITS #4 (BODY-WORN CAM), #9 (DEFENDANT’S STATEMENT), #19 (911 CAM), AND #92 (DEFENDANT’S JAIL CALL-CLIPPED)

1 parents, he never got his life off the ground.

2 Still, we loved him and embraced him anytime we could.
3 However, we also loved his parents. Uncle Jim and Aunt Rose
4 were pillars in their community. They were caring and
5 giving. They were always there for their friends and
6 neighbors in time of need to offer emotional and monetary
7 support to all who needed it. They were leaders in their
8 church and in civic organizations. They were always there
9 for me and my family. They offered legal services with no
10 charge, annual family vacations at their beach house with no
11 fee and a plethora of advice and support over the years.

12 One of the hardest things I have ever done is watch
13 their heartbreak over what has happened with Jason. The man
14 before us today is extremely smart, but he is also
15 compulsive, impulsive, and volatile. Over the years, he has
16 become shrewd, controlling, and sadistic. He seems to have
17 at some point in his life become obsessed with the idea of
18 hurting others. He was incarcerated several years ago for
19 wielding a knife in a man, a complete stranger at that man's
20 house.

21 When he got out of jail, he began being especially
22 abusive to his parents. During this time, uncle Jim began
23 withdrawing from his family and friends because he did not
24 wish to subject us to Jason's odd behaviors and potential
25 assaults. One night he blew cigarette smoke in his father's

1 face and then beat him up in the same chair he later shot him
2 in. He laughed at his parents and told them that he was big
3 and strong and would hurt them both while making the other
4 one watch. That night, they had to call for the police to
5 stop the abuse.

6 The judge issued an order that Jason had no more
7 contact with his parents for some time. They eventually
8 allowed him to come back into their home after he was beaten
9 and left for dead because of some shady deal he got involved
10 in while on the trip out of state. He was supposed to be
11 with a friend in California, but he ended up in a hospital
12 after having been beaten up. No explanation was offered.

13 Less than four months later, Jason went through with
14 his desire to hurt his parents. He shot his daddy twice in
15 the temple as the fireworks of New Year's 2021 blasted in
16 their peaceful neighborhood where families stood outside and
17 welcomed a new year with an old tradition. In the Bell home,
18 uncle Jim was dead and Aunt Rose had lost the remainder of
19 her family. She spiraled into clinical depression, a dark
20 cloud she has just recently found her way out of.

21 In January of 2021, this lady could not raise herself
22 out of the fetal position on her sofa. Today she is spending
23 time with new and old friends in an assisted living home
24 miles away from the painful memories. This week has been a
25 tough one for her. She said to me, the only way I can deal

1 with what has happened is to tell myself that I lost both Jim
2 and Jason at the same time. She also said, Renee, I am
3 afraid of Jason.

4 Judge, we are all afraid of Jason. Although we love
5 the guy he used to be and long for the man he could have
6 been, the man before us is dangerous. He's dangers to total
7 strangers as he has proven. He's dangerous to his family
8 members as he has proven. Serving time in prison did not
9 rehabilitate Jason. And at no point in his incarceration or
10 since then has he made any attempt to express remorse for the
11 pain he has caused. He also refuses to get the medication
12 that would help him better control his moods and impulses.
13 If Jason gets out of prison, I fear there is not a person in
14 this courtroom who would be immune to his possible violence.
15 There's not a person on the street who could interact with
16 him without fear of being assaulted or killed. Our family
17 would have to spend the rest of our days looking over our
18 shoulders in fear that he is nearby waiting for an
19 opportunity to interact.

20 I wish Jason to know that I feel profound sadness that
21 we are here today in this courtroom. My heart is heavy with
22 pain. I love him and I do not want him to suffer. But I do
23 not want him in a place where he can hurt anybody else. If
24 the Jason I know the Jason I grew up with could see us now, I
25 think he would agree with me completely.

1 Judge, I am asking for the maximum sentence for Jason
2 so that we will never find ourselves in the courtroom again.
3 Now, this is Aunt Rose, Uncle Jim's wife.

4 MS. BELL: Yes, I do. Okay. It is been a hard time
5 for a while. The Jason that we knew is no longer the Jason
6 who is here today. He has caused numerous problems for many,
7 many years. He had -- he had a wonderful personality. He
8 had a good job as a surgical technologist in Summerville. He
9 threw all that away when he decided to change his life and to
10 hurt the very people who loved him the most.

11 I thank you for your verdict. It's what was necessary.
12 I don't know that he'll ever be better, but we can only hope
13 and pray that brighter times are ahead for all of the Bell
14 families. Thank you.

15 THE COURT: Thank you Ms. Bell. I'm sorry you had to
16 go through this. Anything else from the state?

17 MR. OSBORNE: The only thing I would add, judge, is as
18 you know through the pretrial motions and the what I wrote up
19 trial, the jury only got to see a small portion of what this
20 defendant put. And that -- and it really was. And I just
21 want to thank Ms. Bell from the first time that I met her and
22 in talking to her, she trusted me and she always said, just
23 do what you need to do. And I asked her, and even when I
24 asked her just yesterday if she wanted to testify, and I told
25 her what I was going to be asking, where we were going to go.

1 And she had the courage to do that. So thank you for your
2 trust and thank you for your courage.

3 THE COURT: Defense.

4 MR. CHISHOLM: You know, as you said, this has been a
5 difficult trial for multiple reasons. I feel for the entire
6 family, including Jason. I mean, this is something that has
7 disrupted a lot of lives and you know, it's something, you
8 know, I think I could tell you he wishes he could take back.

9 He's 51 years old. He does have an associate's degree
10 in (inaudible), and he was employed in several different
11 medical facilities. Maintenance, a surgical technologist,
12 (inaudible). Orthopedic at one point. He -- he had a series
13 of good jobs. I don't know all of the underlying facts
14 behind the burglary case, as you heard. I think that was
15 started back in around 2016, if I'm not mistaken. And you
16 know, you've heard, I didn't hear any other prior on that.
17 He has had mental health counseling and some are filled
18 behavioral health, which I think, you know, something
19 families indicated (inaudible). You know, there are issues
20 there. I would just say that what I can offer you in
21 mitigation is what you've already heard. Of course I
22 understand the verdict of the jury and I understand how they
23 came that decision. But I've known Jason for about two and a
24 half years now. And I'm sure I've talked on probably more
25 than about anyone else. And he has never strayed from what

1 he said in that video, which is he didn't do this out of evil
2 intentions either. That's what he perceived in (inaudible).

3 I would ask you to consider the minimum sentence in
4 this case, which minimum sounds lenient but not always is if
5 you were to give them a 30-year sentence with murder and you
6 know, it's a day for day sentence, it would've been being
7 released from prison if he were to make it at, you know,
8 about 80 years old, Your Honor. So that will be all.

9 THE COURT: All right. I find that he be committed to
10 the Department of Corrections for a term of life. Good luck
11 to you.

12 (THERE BEING NOTHING FURTHER, THIS HEARING CONCLUDED AT
13 2:10 P.M.)

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CERTIFICATE OF TRANSCRIBER

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I, NATASHA BARRIENTOS, a court-approved transcriber, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the South Carolina Circuit Court 1 of Dorchester County, South Carolina, on the 10th Day of August, 2023.

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.

January 19, 2024

Natasha Barrientos
Transcriber

WITNESSES

Adam A Dunaway

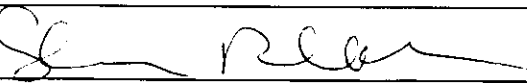
St. George Police Department

ARREST WARRANT NUMBER
2021A1820400001

Arrested: 1/2/2021

ACTION OF GRAND JURY

TRUE BILL


Foreperson of Grand Jury
Date: February 3, 2022

VERDICT

Foreperson of Petit Jury
Date:

DOCKET NO. 2021GS18-0121

The State of South Carolina

County of DORCHESTER

COURT OF GENERAL SESSIONS

February TERM

THE STATE
vs.

Jason Barry Bell

Indictment for

MURDER

SC Code: 16-3-10

After being fully advised as to my legal rights, I hereby waive presentment to the Grand Jury.

Defendant

I
hereby appear in my own proper person
and plead guilty to the within indictment or
to

Defendant

Witness:

C.C.C. PLS. AND G.S.

FILED-20220203
2022 FEB -3 PM 12:20
CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

STATE OF SOUTH CAROLINA)
)
COUNTY OF DORCHESTER)

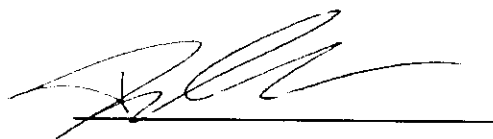
INDICTMENT
2021GS18-0121

At a Court of General Sessions, convened on February the Grand Jurors of Dorchester County present upon their oath:

MURDER

That in Dorchester County on or about January 1, 2021, with malice aforethought, the defendant, Jason Barry Bell did kill one James Bell (Deceased) by means of shooting. The victim did die as a proximate result thereof. This offense being in violation of the Common Law and Section 16-3-10, of the South Carolina Code of Laws, as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.

A handwritten signature in black ink, appearing to read 'D. Osborne', is written over a horizontal line.

David L Osborne, Solicitor

RECEIVED

STATE OF SOUTH CAROLINA

IN THE COURT OF GENERAL SESSIONS

COUNTY OF Dorchester

AUG 17 2023

STATE

SC Court of Appeals

VS.

INDICTMENT/CASE#: 2021 - GS - 18 - -0121Jason Barry BellA/W#: 2021A1820400001

AKA:

Date of Offense: 1/1/2021Race: WHITE Sex: M Age: 51S.C. Code § 16-3-10DOB: SS#:CDR Code #: 0116

Address:

City, State, Zip:

DL#:

SID#:

SENTENCE SHEET

*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the above indictment comes now the Defendant who was

☒ CONVICTED OF or ☐ PLEADSTO: Murderin violation of § 16-3-10 of the S.C. Code of Laws, bearing CDR Code # 0116☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS ☐ §17-25-45

(CSC w/minor 1st or CSC w/minor 3rd)

The charge is: ☐ As Indicted, ☒ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (def.'s initials)The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

Osborne, David L

101325

SC Bar #

Defendant

Chisholm, Ash

76426

SC Bar#

WHEREFORE, the Defendant is committed to the ☒ State Department of Correction, ☐ County Detention Center,for a determinate term of Life days/months/years/Time Served ☐ Youthful Offender Act not to exceed yearsand/or to pay a fine of \$; provided that upon the service of days/months/years/Time Served and or paymentof \$; plus costs and assessments as applicable*; the balance is suspended with probation for

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

The sentence shall run

☐ CONCURRENT or ☐ CONSECUTIVE to sentence on: ☐ The Defendant is to be given credit for time served pursuant to S.C. Code §24-13-40 to be calculated and applied by SCDOC. days/months☐ To include time spent on monitored house arrest prior to trial and sentencing.☐ The Defendant Shall be Released from County Detention Center.

Pursuant to 18 U.S.C. § 922 and § 16-25-30 it is unlawful for a person convicted of a violation of § 16-25-20 or § 16-25-65 (Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

STATE VS. Jason Barry Bell INDICTMENT/CASE#: 2021 - GS - 18 - -0121

SPECIAL CONDITIONS:

☐ PTUP after _____ months/years

And Other Terms Listed Below:

☐ Substance Abuse Counseling ☐ Completion of GED ☐ Random Drug/Alcohol Testing

☐ Attend Voc. Rehab. or Job Corp ☐ No Contact with Victim ☐ Domestic Violence Intervention Program

☐ Mental Health Counseling ☐ May serve W/E beginning: _____

☐ Sex Offender Registry pursuant to S.C. Code § 23-3-430 ☐ Public Service Employment _____ days/hours

☐ Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.

☐ Other: _____

☐ RESTITUTION: ☐ Deferre ☐ Def. Waives Hearing ☐ Ordered

Total: \$ _____ plus 20% fee: _____ \$ _____

Payment Terms: _____ ☐ Set by SCDPPPS

Recipient: _____

*Fine:

Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ Beginning _____ \$ _____

§14-1-206 (Assessments 107.5 %) \$ _____ \$ _____

§14-1-211(A)(1) (Conv. Surcharge) \$100 \$ 100.00

§14-1-211(A)(2) (DUI Surcharge) \$100 \$ _____

§56-5-2995 (DUI Assessment) \$12 \$ _____

§56-1-286 (DUI Breath Test) \$25 \$ _____

§14-1-212 (Law Enforce. Funding) \$25 \$ 25.00

§14-1-213 (Drug Court Surcharge) \$150 \$ _____

§34-11-70(b)and(c), and 34-11-90(c)and(d) (Admin Fraud Check Court Costs) \$41 \$ _____

§50-21-114(BUI Breath Test Fee) \$50 \$ _____

§56-5-2942(J) (Vehicle Assessment) \$40/ea \$ _____

3% to County (if paid in installments) TBD \$ 3.75

☐ Appointed PD or appointed other counsel, Proviso requires \$500 be paid to Clerk during probation and shall be collected before any other fees.

☐ § 17-3-30(B) Unpaid Application Fee to be paid to the Public Defender Fund \$500 \$ _____

TOTAL \$ 128.75

Clerk of Court/ Deputy Clerk: _____
Court Reporter: _____

Cheryl Graham
Johnny Smith

Presiding Judge: _____

Judge Code: 2775

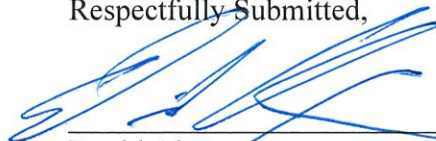
Sentence Date: 8/10/23

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

RECEIVED
Mar 05 2025
SC Court of Appeals

Respectfully Submitted,



David Alexander
Deputy Chief Attorney for Capital Appeals

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589

ATTORNEY FOR APPELLANT

This 5th day of March, 2025.

RECEIVED
Mar 05 2025
SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Dorchester County

Honorable Heath P. Taylor, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JASON BARRY BELL,

APPELLANT

APPELLATE CASE NO. 2023-001326

CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Record on Appeal in the above-referenced case has been served upon R. Brandon Larrabee, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 5th day of March, 2025.



David Alexander
Deputy Chief Attorney for Capital Appeals

South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589

ATTORNEY FOR APPELLANT